

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEANNETTE SOTOMAYOR-VAZQUEZ,

Defendant.

Criminal No. 97-091 (JAF)

ORDER

We finally reach the November 12, 1999, motion by Attorney Francisco Rebollo-Casalduc, seeking reconsideration of sanctions imposed on May 21, 1998. See Docket Document No. 1031.

The long time elapsed between the filing of the motion and the present resolution obeys to the fact that this case remained active and litigious directly and collaterally until very recent times. It was only prudent not to act until the last stages of this unusual criminal litigation had ended, and the collateral third-party criminal litigation against other actors for obstruction of justice had concluded.

Without hesitation, we can say that Attorney Rebollo-Casalduc's actions in this case never changed our opinion about his good character, moral fitness, and legal abilities. While remaining convinced that he acted motivated by the peer pressure of a jointly-undertaken defense, it is also true that the shock of the sanction

Criminal No. 97-091 (JAF)

2-

immediately brought about a reality check that led Mr. Rebollo to admit, as a responsible professional, that other courses of action would have been more prudent.

The original sanctions had to be evenly handed out against those attorneys involved in the conduct the court found objectionable. However, we recognize that Mr. Rebollo was the only one to meet the consequences and seek professional forgiveness from the offended party. Mr. Rebollo, thus, acted like the honest, serious professional he is. Therefore, it is only fair that, after so many years of patiently waiting for this case to conclude, he be duly recognized for what he consistently is, a decent professional in every sense of the word.

The written sanction and censure previously imposed is vacated in recognition of Mr. Rebollo's honesty and courage in dealing with the situation and facts that brought about the original sanction.

**IT IS SO ORDERED.**

San Juan, Puerto Rico, this 15<sup>th</sup> day of August, 2005.

S/José Antonio Fusté  
JOSE ANTONIO FUSTE  
U. S. District Judge





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26 de agosto de 2005

Lic. Joaquín Monserrate-Matienzo  
606 Avenida Muñoz Rivera  
San Juan, PR 00918-3632

Estimado Juaco:

Recibí tu carta en la que me informas del error que cometió El Nuevo Día en relación a tu actuación profesional en el caso del Instituto del SIDA.

Agradezco que me escribieras haciéndome notar el error, lo que nos permitió, siguiendo la política del periódico, aclararlo el pasado sábado 20 de agosto.

Te acompaña una copia de la aclaración, que como verás se publicó en la página 3 de El Nuevo Día.

Como sabes estamos a tus órdenes. Siempre te recuerdo con mucho afecto.

Cordialmente,

*Antonio Luis*  
Antonio Luis Ferré  
Presidente y Editor



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Case No. 97-91

Plaintiff,

vs

YAMIL KOURI-PEREZ, et al.,

Defendants.

ORIGINAL

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TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE JOSE A. FUSTE

February 25, 1998

HEARING

RECD.	TO JUDGE
BY	282

25 FEB 98

1 Dominguez, in response to Ms. Ramos' motion or oral  
2 exposition, that you are ready to try this case and you  
3 oppose any continuance, is that correct?

4 MS. DOMINGUEZ: The government is ready to try this  
5 case. I don't believe that diligent efforts were made to  
6 access discovery in this case. I believe that the  
7 inventory has been available for months and there was no  
8 attempt to go through the inventory when produced. We  
9 are back now to the same efforts of reviewing the  
10 inventory in order to get the boxes.

11 While Mr. Cerezo just complained of a two week lag  
12 that allegedly Mr. Monserrate tried to contact me -- and  
13 I don't question Mr. Monserrate's representation because  
14 I believe he is an honorable person. I am complaining  
15 more a lag of eight months in reviewing the inventory and  
16 making some efforts to review the evidence which has been  
17 available to counsel. Since it is the first time up for  
18 the case at trial and if the Court feels that a limited  
19 continuance is in order, I would ask Your Honor that you  
20 set strict guidelines of the review process for this  
21 evidence. I would object to a long continuance date.

22 THE COURT: Let me think about these things.

23 MR. CEREZO: I would like to revisit -- since I  
24 join Mr. Rebollo's motion -- the one that prompted you to  
25 instruct the prosecutor to make available the motion.

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

1 UNITED STATES OF AMERICA,

2 Plaintiff,

3 \* \* \* \* \* Criminal No. 95-261 (JAF)

4 v.

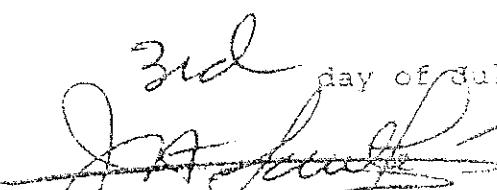
5 DANIEL PANIAGUA-RAMOS,

6 Defendant.

7 \* \* \* \* \* O R D E R8 The motion to withdraw as counsel of record, filed as an  
9 Informative Motion by Joaquín Monserrate-Matienzo, Esq., on June 23,  
10 1998, Docket Document No. 189, is reluctantly granted.11 Mr. Monserrate-Matienzo more than competently represented  
12 Mr. Paniagua-Ramos in this matter during the first trial and on  
13 appeal and one cannot easily fathom why he withdraws at this critical  
14 juncture. The court surmises that this unfortunate development may  
15 be connected to the recent imposition of sanctions in Criminal  
16 No. 97-091. Irrespective of whether that is so, Mr. Monserrate-  
17 Matienzo is reapprised of this court's respect and admiration for his  
18 professional abilities and his continued dedication to the cause of  
19 criminal defense. The court looks forward to his future  
20 participation in other cases.

21 IT IS SO ORDERED.

22 San Juan, Puerto Rico, this

23 *3rd* day of July, 1998.  
24   
25 JOSE ANTONIO FUSTER  
U. S. District Judge